

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAMON ODIN LAGOS, <i>et al.</i> ,	}	
	}	
v.	}	Civil Action No. 09-214 Erie
	}	
FRANCISCO J. QUINTANA, <i>et al.</i> ,	}	
	}	
Defendants.	}	

MEMORANDUM ORDER

_____ This civil rights action was commenced when, on August 19, 2009, the Clerk of Court received a civil rights complaint filed by nine (9) named inmates and “80 other [unnamed] inmates” incarcerated at the Federal Correctional Institution at McKean in Bradford, Pennsylvania. The matter was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [10], filed on October 14, 2009, recommends that Plaintiffs Sean Rushton, Cyril Anderson, Jose Martinez, Javier Rodriguez, Brua Gilmore, and “80 other inmates” be dismissed from the case due to their failure to prosecute. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on the Plaintiffs by certified mail at their current addresses of record. No objections were filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 2nd day of December, 2009;

IT IS HEREBY ORDERED that the following Plaintiffs are dismissed from this case for failure to prosecute: Sean Rushton, Cyril Anderson, Jose Martinez, Javier

Rodriguez, Brua Gilmore, and “80 other inmates.”

The Report and Recommendation of Chief Magistrate Judge Baxter [10], dated October 14, 2009, is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN
Sean J. McLaughlin
United States District Judge

cc: all parties of record
United States Magistrate Judge Baxter